

EXHIBIT

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# INCIDENT REPORT NARRATIVE

AGENCY NAME: MONROE COUNTY SHERIFF	ORI#: VI0120000	REPORT DATE: 1/13/2016 7:26:00 PM	CASE NUMBER: 2016-0923
SPINCH REPORT			
<p>1) do so he slowed and came to a stop near Officer Arenz. Schumer realized that Officer Arenz was looking at the suspect vehicle coming up behind him.</p> <p>2) The suspect vehicle stopped behind Schumer's vehicle, was put in reverse and accelerated backwards, and struck Officer Kruger's squad which was coming to a stop. The suspect vehicle struck Officer Kruger's vehicle, causing severe damage to the front end and set off the air bags. The vehicle then went into the oncoming lane, and began going W/B in the EB lane to get around Schumer's vehicle. According to Officer Arenz, he was yelling for the vehicle to stop and he moved into the EB lane as the suspect came towards him. Officer Arenz advised he observed the driver of the vehicle lean over into the passenger seat as the vehicle headed towards him. Officer Arenz advised he feared for his life and began firing at the vehicle as it came at him. Officer Arenz moved to his left, as the suspect vehicle went past him. Officer Arenz advised that he continued to fear for the safety of the large group of people at the Hillsboro tractor pull so he continued to fire at the vehicle as it drove away. Officer Arenz fired several more times as the vehicle sped away.</p> <p>3) Officer Arenz advised that he retrieved the spike strips and moved them to the ditch line. He then got in his squad and began pursuing the suspect. Officer Arenz advised that as he made the curve up ahead he observed the suspect exit his vehicle and begin running on foot, across the road and into the ditch on the EB side of the road. Officer Arenz exited his squad and ran to the edge of the ditch line. He observed the suspect and ordered him to stop. At this time of suspect stopped and was taken into custody.</p> <p>4) I asked Officer Arenz if he had any video of the incident. He advised that when he started going to the incident the video camera was still starting up and therefore was not activated initially. Officer Arenz said that after the shooting he got back to his squad and manually started the camera, which caused it to have a short period of pre-record, however he did not know if it recorded any of the shooting. I later reviewed the video and found that the video only captures from the time that Officer Arenz is bringing the fire deflation device back to the ditch and then the events that occurred after that.</p> <p>5) Officer Arenz turned his gun over to Sgt. Patrick Clark from Hillsboro Police, who in turn turned it over to Sgt. Winchel with Vernon County. Sgt. Winchel later turned the gun over to me. The gun had 4 bullets in the magazine and 1 that had been ejected from the gun while making it safe.</p> <p>6) After speaking with Officer Arenz I did a walk-through of the scene and later collected evidence. I found that there were 3 bullet casings in the road and 1 on the EB shoulder. I found that there were 6 casings in the W/B shoulder. I found that all 3 of the casing that were in the roadway were damaged. I also found that Officer Arenz had fired 11 rounds (he believed he had his gun fully loaded with and 15 round magazine plus 1 chambered in the gun). The location of the bullet casings were consistent with what Officer Arenz said occurred. Due to the fact that there were only 10 casings located, it is possible that a casing became wedged in a vehicle's tire prior to the road being closed down. We also located 1 fragment of a bullet in the roadway.</p> <p>7) In examining the vehicle I located 8 places where it appeared the vehicle had been struck by bullets. The vehicle had been struck once each in the following locations: In the right headlight; On the hood of the car near the front middle part of the hood; Just below and behind the left headlight; Through the passenger-side window edge; Just behind the back passenger window; In front of the back right tail light; Into the back right tail light; Into the back window, on the right edge. There was no clear indication that any of the rounds made it into the passenger compartment of the vehicle. There was, however, a scratch and crack near on the front center console, however it was unclear if the damage occurred from or prior to the shooting.</p> <p>8) While on scene, I did take photographs and conduct searches of both Officer Kruger, and Officer Arenz's squad car, but found nothing of evidentiary value.</p> <p>9) Investigator Michael Marquardt from State Patrol came to the scene and later to impound to document the scene. In doing so he mapped out the location of the evidence that was located, as well as later did a 3-D scan of Officer Kruger's squad and the suspect's vehicle. See his report for further detail.</p> <p>10) On 08/16/16 I met with Byrd at the Vernon County Jail. I explained to Byrd what my part of the investigation entailed and I read him his rights. While reading Byrd his rights, and after his rights were read, Byrd was very contemplative as to whether or not he wanted an attorney. I asked him multiple times if he was asking for an attorney, but he would not directly answer if he was or wasn't. I told Byrd that I would let him go back and think about it, and find out what happened at court (as he had court scheduled for later that day), however he advised that he didn't want to lose the opportunity to talk to me now. Byrd would then talk in circles and give little bits of information. Byrd was very concerned about his girlfriend, Butcher. I advised him that she was ok and was in custody in Juneau County. Byrd advised that she didn't do anything wrong and didn't understand why she was arrested. I explained that she fled from the police in her vehicle. Byrd advised that he was on the phone with her when she was being pulled over and that she did pull over. I asked if he could see them when she was pulled over and he said that he couldn't. Byrd advised</p>			
SPBNCBR, JBFHRY OFFICER		7 ID	8/25/2016 9:23:11 AM DATE

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ARENZ0099



## INCIDENT REPORT NARRATIVE

AGENCY NAME: MONROE COUNTY SHERIFF	OIR #: W10420000	REPORT DATE: 8/13/2016 7:26:00 PM	CASE NUMBER: 7016-0923
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**WILLIAMS REPORT**

After getting off the phone with Deputy Torgerson, I positioned my squad car in the westbound lane of travel a little ways east of the location I observed the shell casings so as to block westbound traffic from entering that lane of travel. Sergeant Pat Clark positioned his squad car directly east of the shell casings to further prevent any vehicles from traveling through that lane of travel. The highway was blocked off, and the remaining vehicles that were already in the area traveled in the east bound lane of travel on State Highway 33.

There was no real means of taping off the scene as it was too large to do so and there was not enough natural landmarks (i.e. utility poles, trees, etc.) in a close enough vicinity of each other on each side of the highway to tape the scene off. All officers present at the location I was at were centralized into one area. Once traffic was blocked off on the highway, all law enforcement vehicles not being used to directly block off areas of evidence were carefully moved to the east edge of the scene so as to not disturb any evidence.

Shell casings, believed to be from Officer Brandon Arenz's duty weapon, were located in a grouping on the gravel shoulder on the north side of the highway, on the highway, and one on the gravel shoulder on the south side of the highway. In total, ten shell casings were located. I was advised by Sergeant Clark that was the number of rounds fired from Officer Arenz's duty weapon. Detective Ben Goehring of the Juneau County Sheriff's Office had his department issued vehicle parked near the grouping of shell casings on the gravel shoulder on the north side of the highway. He inquired with me if it was okay to move his vehicle. It was verified that moving his vehicle could be done in a manner without disturbing any of the shell casings or other possible evidence. Detective Goehring moved his vehicle after verification.

I used traffic cones and battery powered traffic lights / flares as best as possible to establish perimeter around the shell casings, debris in the road, and the location around where Hillsboro Officer Brandon Arenz had his squad originally parked when he was positioned to utilize road spikes in attempt to stop the suspect vehicle. I used chalk to mark debris in the road and on the shoulders of the highway. Detective Goehring also assisted in marking some of the debris locations with chalk. I utilized evidence tent markers provided by Sergeant Clark to mark the shell casings and some other pieces of evidence. I maintained visual contact of all evidence on State Highway 33 in the area of Hillsboro Equipment and ensured no one handled anything until the appropriate investigators arrived on scene.

Detective Spencer and the Wisconsin State Patrol Traffic Reconstruction Unit arrived on scene. Woneewoc Fire Department had been contacted to provide lighting assistance at the scene. Detective Spencer and the Reconstruction Unit took over command of the scene and conducted their investigation. Detective Spencer requested I assist him in searching the Elroy Police car. I searched the front and rear passenger side of the squad car. I did not locate any evidence or suspicious items within the squad car. Upon Detective Spencer's direction, I assisted him in bagging evidence. All evidence was collected by Detective Spencer while I filled out the date, time, and descriptions of the evidence collected. Detective Spencer maintained control of the evidence after it was collected. A short time thereafter, I was advised by Detective Spencer that I could clear the scene.

In all, the following agencies were present while I was at the scene: Hillsboro Police Department; Elroy Police Chief and Squad Car; Vernon County Sheriff's Office; Wisconsin State Patrol; Wisconsin State Patrol Traffic Reconstruction Unit; Juneau County Sheriff's Office; and Woneewoc Fire Department. Please refer to the individual officer's reports from each agency for additional information.

This is an agency assist report, supplementing Detective Spencer's investigation into the officer involved shooting. I have no further information to report at this time, and the investigation is being handled by Detective Spencer.

**End of Report**  
No audio/video/photographs available  
Deputy Ryan Williams # 19

Monroe County Sheriff's Office

WILLIAMS, RYAN	19	8/18/2016 11:34:18 PM
OFFICER	ID	DATE

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